

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 58906

Alfred C. Benson Trustee

604 Valley Lane

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 16, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 400, 429; 1B01.1D; Baltimore County Code (BCC) section 13-7 known as 604 Valley Lane, 21286.

On May 19, 2009, pursuant to §3-6-205, Baltimore County Code, Inspector Latoshia Rumsey-Scott issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The following persons appeared for the Hearing and testified: Craig Benson, son of the Respondent and, Latoshia Rumsey-Scott, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 29, 2009 for removal of untagged vehicles and commercial vehicles, and removal of illegal accessory structures. This Citation was issued on May 19, 2009.

B. Inspector Rumsey-Scott testified that there are no violations regarding vehicles; that they were not commercial vehicles and that all vehicles on the property now have current tags. She further testified that there were two sheds improperly placed in the front yard, and that Mr. Benson was unable to move them until the ground dried out. She testified that re-inspection prior to the hearing found the property nearly in compliance, with the sheds removed from the front yard and only a few items of junk and debris remaining to be removed.

C. Mr. Craig Benson testified that he has cleaned up the property and took most of the remaining debris to the dump the day before this Hearing. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if re-inspection finds the violations corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00.

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by June 26, 2009. If the Respondent fails to correct the violations, the civil penalty shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 19<sup>th</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.